



January 25, 2008

## HOUSE BILL No. 1234

DIGEST OF HB 1234 (Updated January 23, 2008 10:51 am - DI 109)

**Citations Affected:** IC 20-33.

**Synopsis:** School attendance records and enforcement. Allows certain law enforcement officers to inspect student attendance records and enforce the attendance laws. Requires an affidavit against a parent to enforce the compulsory school attendance law be filed in a court with jurisdiction in the county in which the student resides.

**Effective:** July 1, 2008.

**Blanton, Austin**

January 14, 2008, read first time and referred to Committee on Education.  
January 24, 2008, reported — Do Pass.

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HB 1234—LS 6899/DI 109+



January 25, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE BILL No. 1234

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-33-2-20, AS ADDED BY P.L.1-2005,  
2       SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2008]: Sec. 20. (a) An accurate daily record of the attendance  
4       of each student who is subject to compulsory school attendance under  
5       this chapter shall be kept by every public and nonpublic school.

6       (b) In a public school, the record shall be open at all times for  
7       inspection by:

8               (1) attendance officers;

9               (2) school officials; ~~and~~

10              (3) agents of the department of labor; **and**

11              **(4) security police officers appointed under IC 36-8-3-7.**

12       Every teacher shall answer fully all lawful inquiries made by an  
13       attendance officer, a school official, ~~or~~ an agent of the department of  
14       labor, **or a security police officer appointed under IC 36-8-3-7.**

15       (c) In a nonpublic school, the record shall be required to be kept  
16       solely to verify the enrollment and attendance of a student upon request  
17       of the:

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(1) state superintendent; or

(2) superintendent of the school corporation in which the nonpublic school is located.

SECTION 2. IC 20-33-2-26, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 26. (a) It is the duty of each:

(1) superintendent;

(2) attendance officer; ~~and~~

(3) state attendance official; ~~and~~

**(4) security police officer appointed under IC 36-8-3-7;**

to enforce this chapter in their respective jurisdictions and to execute the affidavits authorized under this section. The duty is several, and the failure of one (1) or more to act does not excuse another official from the obligation to enforce this chapter.

(b) An affidavit against a parent for a violation of this chapter shall be prepared and filed in the same manner and under the procedure prescribed for filing affidavits for the prosecution of public offenses.

(c) An affidavit under this section shall be filed in ~~the circuit~~ a court ~~of with jurisdiction in~~ the county in which the affected child resides. The prosecuting attorney shall file and prosecute actions under this section as in other criminal cases. The court shall promptly hear cases brought under this section.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1234, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 9, nays 0.

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